



OBERMAYER

REBMANN MAXWELL & HIPPEL LLP

Attorneys At Law

Lawrence J. Tabas, Esquire

Direct Dial 215-665-3158

E-mail Lawrence.Tabas@obermayer.com

One Penn Center – 19th Floor
1617 John F Kennedy Boulevard
Philadelphia, PA 19103-1895
P 215-665-3000
F 215-665-3165
www.obermayer.com

September 27, 2006

Via: Federal Express and Facsimile (202)219-3923

Office of General Counsel

Federal Election Commission

999 East Street, NW

Washington, DC 20463

Attn: Jeff Jordan, Esquire Supervisory Attorney

Complaints Examination and Legal Administration

RE: MUR 5788

Dear Mr. Jordan:

I am enclosing the Response and Objections of Respondent Republican Federal Committee of Pennsylvania to Complaint, MUR 5788, which is being filed on behalf of our client, Republican Federal Committee of Pennsylvania. The Committee is one of the Respondents to the Complaint. I am sending this to you by both Federal Express as well as by facsimile.

I am also enclosing a second copy of our client's response to MUR 5788. Would you kindly date and stamp this copy of the Response and return it to me in the stamped, self-addressed envelope that is enclosed and provided for your convenience. Thank you very much.

Very truly yours,


LAWRENCE J. TABAS

cc: Patricia Poprik, Treasurer, Republican Federal Committee of Pennsylvania

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2006 SEP 28 A 11:59

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IN AND BEFORE THE
FEDERAL ELECTION COMMISSION

IN RE
THE REPUBLICAN FEDERAL COMMITTEE : MUR 5788
OF PENNSYLVANIA :

RESPONSE AND OBJECTIONS OF RESPONDENT REPUBLICAN FEDERAL
COMMITTEE OF PENNSYLVANIA TO
COMPLAINT

Republican Federal Committee of Pennsylvania, the registered federal committee of the Pennsylvania Republican State Committee (the "Respondent"), hereby files this Response and Objection(s) to the Complaint filed with the Federal Election Commission (the "Commission") in the above-referenced Matter Under Review # 5788 ("MUR").¹

Respondent has committed no violation of the Federal Election Campaign Act of 1971, as amended ("the Act") and the Complaint, accordingly, should be dismissed.

The Complaint alleges the following violations, each of which is groundless, to wit:

Allegation #1: 1) That Republican Federal Committee of Pennsylvania is not an authorized committee; 2) failure of Republican Federal Committee of Pennsylvania to include its address on the communication; and, 3) Failure of Republican Federal Committee of Pennsylvania to print a disclaimer in sufficient contrast.

Response: The Complaint alleges that Respondent Republican Federal Committee of Pennsylvania is not an authorized committee. However, in the caption on the first page of the Complaint, the Complainant includes the Respondent Republican Federal Committee of Pennsylvania's FEC registration ID (FEC ID# C00044842). Respondent Republican Federal Committee of Pennsylvania is a duly authorized committee and Complainant's allegation to the contrary is without merit.

Equally frivolous is the Complainant's allegation that Respondent Republican Federal Committee of Pennsylvania failed to include its address on the communication in question. In the top center on the front of the communication, Republican Federal Committee of Pennsylvania's address is prominently featured adjacent to the words "Bobby Casey."

¹ The Treasurer of the Republican Federal Committee is not named as a Respondent in the Complaint.

Respondent Republican Federal Committee of Pennsylvania's address is featured on the communication in question and Complainant's allegation to the contrary is without merit.

Finally, Complainant's allegation that the disclaimer on the communication stands in insufficient contrast with the communication's background is denied. The disclaimer is clear, bright and stands in sufficient contrast to be read by any casual reader.

Allegation #1 draws erroneous legal conclusions not supported by the facts in the record and ignores clear facts that are in the record. Accordingly, Allegation #1 must be dismissed.

Allegation #2: That the communication in question represents an in-kind contribution.

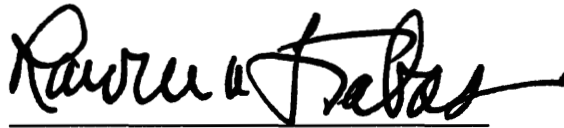
Response: The communication is a volunteer touch piece. Each piece of the communication was touched by a volunteer using an ink stamp with the indicia of the bulk mail permit of the Republican State Committee of Pennsylvania. See Exhibit "A" attached hereto, which are two copies of photographs of the volunteers are stamping the communication with the indicia. Additionally, The text of the communication does not advocate for the election or defeat of any candidate for federal office as defined in 11 C.F.R. § 109.21(c)(3). The communication merely highlights Bob Casey's position on a particular issue and directs voters concerned with Casey's position to a website where they can register their concern. Because the communication does not advocate for the election or defeat of any candidate for federal office, it cannot be deemed an in-kind contribution. Furthermore, the communication was a volunteer touch mail piece.

Allegation #2 draws erroneous legal conclusions not supported by the facts in the record. Accordingly, Allegation #2 must be dismissed.

CONCLUSION

For the reasons stated above and because neither the facts nor the law support further proceedings with respect to the Complaint, and because Respondent has committed no violation(s) of the Act, Respondents respectfully move the Commission to dismiss the MUR and for such other necessary relief as deemed appropriate by the Commission. Respondent reserves the right to supplement this Response and Objection as necessary.

Respectfully Submitted,



Lawrence J. Tabas, Esq.

Obermayer Rebmann Maxwell & Hippel LLP
One Penn Center, 19th Floor
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1895
(215) 665-3158
(215) 665-3165 (facsimile)

Counsel for Republican Federal Committee
of Pennsylvania

Submitted via FedEx and facsimile this 27th day of September, 2006

Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Attention Jeff Jordan, Esq., Supervisory Attorney
Complaints Examination and Legal Administration

Commonwealth of Pennsylvania
County of Dauphin

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ss:

AFFIDAVIT OF SCOTT J. MIGLI

I, Scott J. Migli, do hereby affirm and state as follows:

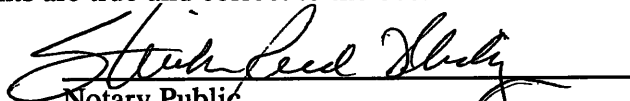
1. I am an adult citizen of the Commonwealth of Pennsylvania and a resident of Lancaster County.
2. I am the Executive Director of the Republican State Committee of Pennsylvania.
3. The facts set forth in the foregoing Response of the Republican Federal Committee of Pennsylvania to the Complaint are true and correct to best of my knowledge, information and belief.

Further Affiant Sayeth Not.


Scott J. Migli

Before me appeared this 26 day of September, 2006, Scott J. Migli, and swore under penalty of perjury that the above and foregoing statements are true and correct to the best of his knowledge and belief.

SEAL

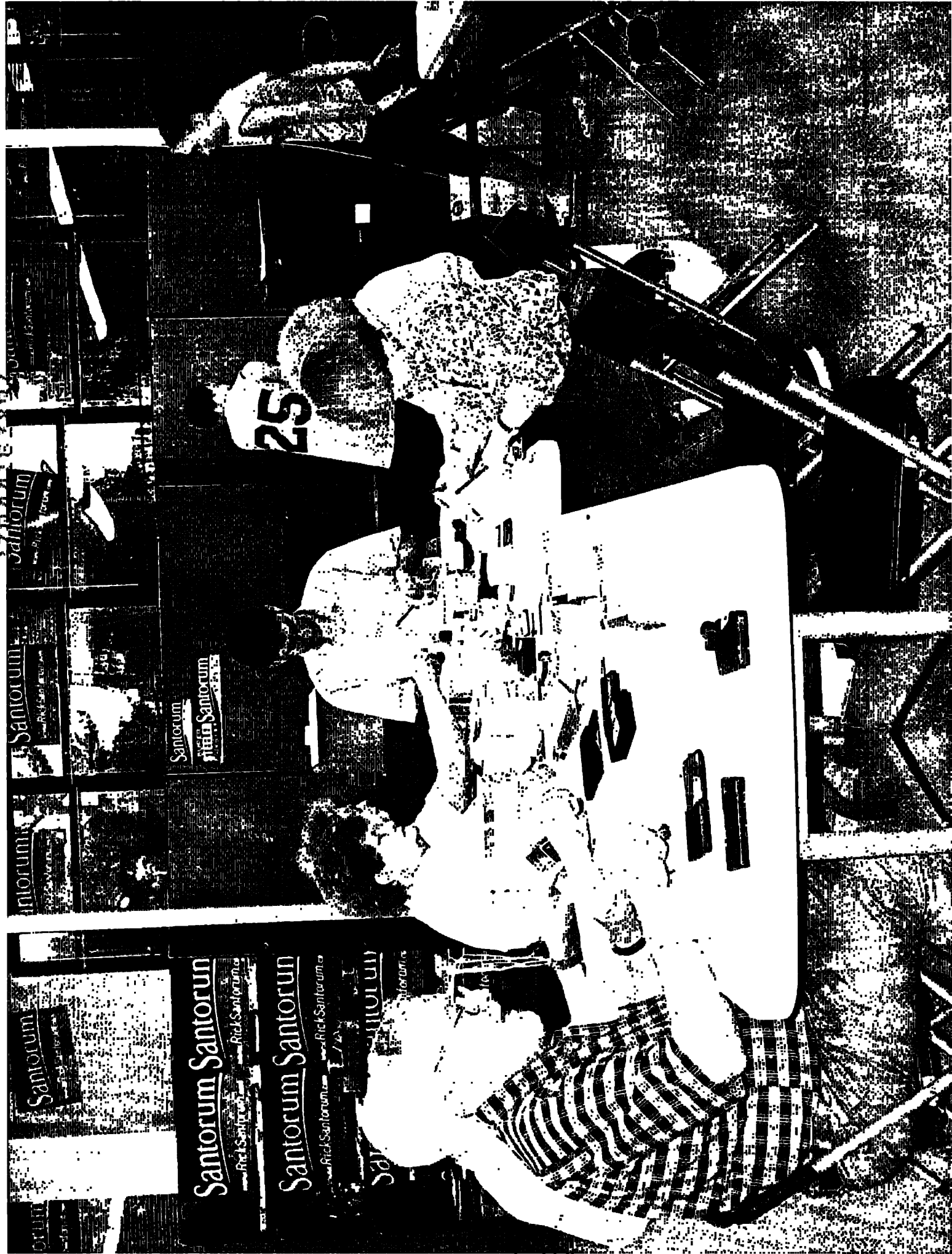

Notary Public

My Commission Expires:

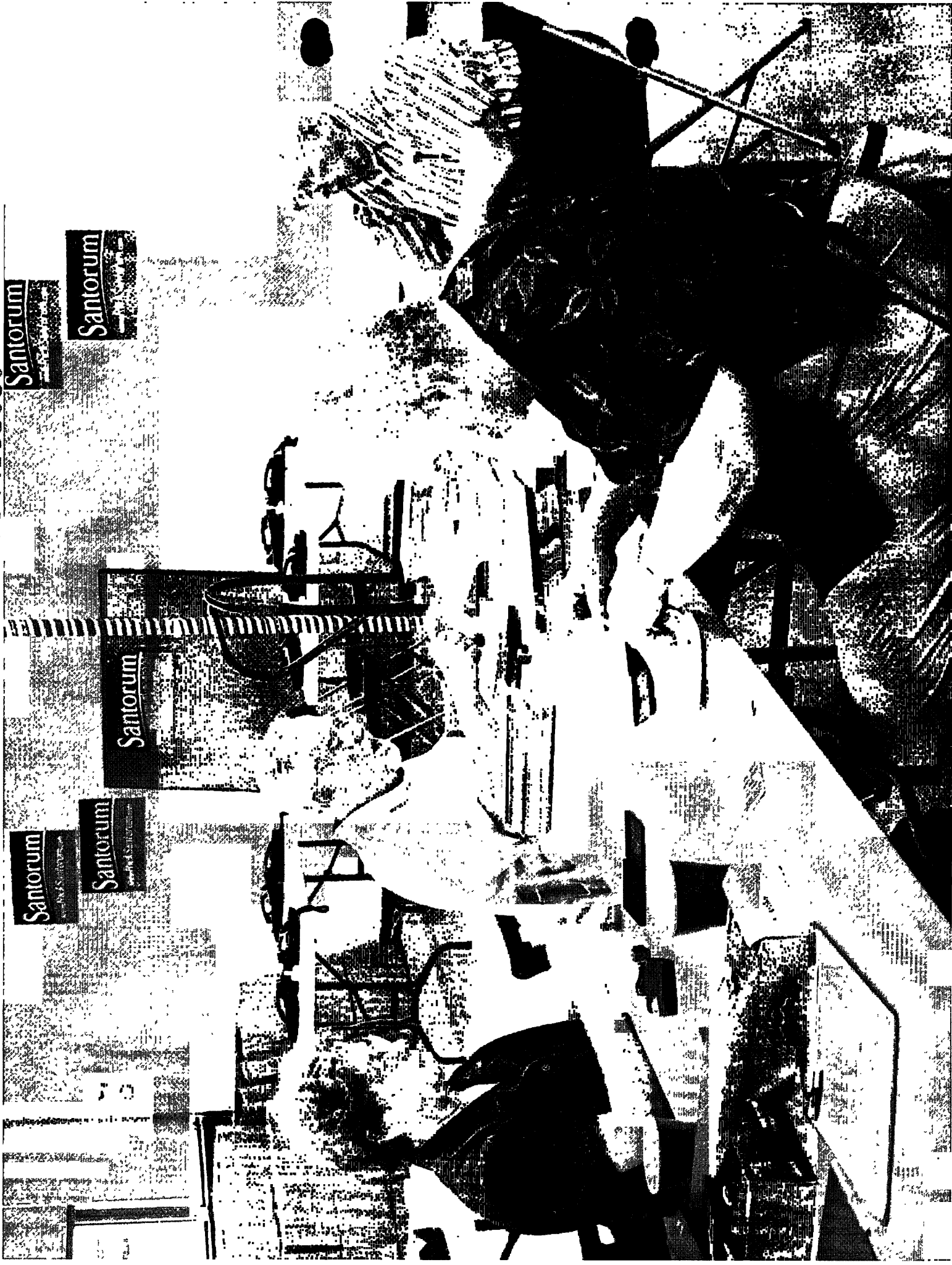


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